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05/31/01
1033 U.S. PTO
09/871304

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.:	Sprint IDF 1595 (4000-04000))
First Inventor or Application Identifier	Balagurunathan Balasubramanian et al
Title	Method and Software for Testing and Performance Monitoring
Express Mail Label No.	EL733145421US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB17) (Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See (Submit an original, and a duplicate for fee processing)</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages]: 38 (preferred arrangement set forth below) - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claims(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) Total Sheets: 12</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration Total Pages: 2 a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies)</p> <p>ACCOMPANYING APPLICATION PARTS</p> <p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 C. FR 3.73(b) Statement [] Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other</p>	
<p>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: _____</p> <p>Prior application information: Examiner: _____ Group Art Unit: _____</p> <p>For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p>			
19 CORRESPONDENCE ADDRESS			
<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No or Attach bar code label here) 21396 or <input checked="" type="checkbox"/> Correspondence address below			
NAME		Steven J. Funk	
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Name (Print Type)	Michael W. Piper	Registration No. (Attorney/Agent)	39,800
Signature	<i>Michael W. Piper</i>	Date	May 31, 2001

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FEE TRANSMITTAL FY 2000 Patent fees are subject to annual revision.		Complete if Known	
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Balagurunathan Balasubramanian, et al.
		Group Art Unit	
		Examiner Name	
TOTAL AMOUNT OF PAYMENT	(\$ 830.00)	Attorney Docket Number	Sprint IDF 1595 (4000-04000)

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 21-0765 Deposit Account Name: Sprint <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>\$</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>\$</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexam</td><td>\$</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within 1st month</td><td>\$</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within 2nd month</td><td>\$</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension to reply within 3rd month</td><td>\$</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension to reply within 4th month</td><td>\$</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension to reply within 5th month</td><td>\$</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>\$</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>\$</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td>\$</td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td>\$</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td>\$</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td>\$</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>\$</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional apps.</td><td>\$</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Dis. Stmt.</td><td>\$</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>\$40</td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR 1 129(a))</td><td>\$</td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR 1 129(b))</td><td>\$</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>\$</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>\$</td></tr> <tr><td colspan="5">*Reduced by Basic Filing Fee Paid SUBTOTAL (3)</td><td>\$ 40.00</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	\$	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$	139	130	139	130	Non-English specification	\$	147	2,520	147	2,520	For filing a request for reexam	\$	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$	115	110	215	55	Extension for reply within 1st month	\$	116	390	216	195	Extension for reply within 2nd month	\$	117	890	217	445	Extension to reply within 3rd month	\$	118	1,390	218	695	Extension to reply within 4th month	\$	128	1,890	228	945	Extension to reply within 5th month	\$	119	310	219	155	Notice of Appeal	\$	120	310	220	155	Filing a brief in support of an appeal	\$	121	270	221	135	Request for oral hearing	\$	138	1,510	138	1,510	Petition to institute a public use proceeding	\$	140	110	240	55	Petition to revive - unavoidable	\$	141	1,240	241	620	Petition to revive - unintentional	\$	142	1,210	242	605	Utility issue fee (or reissue)	\$	143	440	243	220	Design issue fee	\$	144	600	244	300	Plant issue fee	\$	122	130	122	130	Petitions to the Commissioner	\$	123	50	123	50	Petitions related to provisional apps.	\$	126	180	126	180	Submission of Information Dis. 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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor :	Balagurunathan Balasubramanian et al
	Title:	Method and Software for Testing and Performance Monitoring
	Attorney Docket Number	Sprint IDF 1595 (4000-04000)
	Express Mail Label No.	EL733145421US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/31/2001
Date

Michael W. Piper
Signature
Michael W. Piper
Registration Number 39,800

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**